

ENVIRONMENTAL APPEALS BOARD

OVERVIEW

The Environmental Appeals Board serves as the agency's administrative appellate authority in the consideration and resolution of appeals or other requests for a decision by the Administrator in adjudicatory matters required by statute to be made by the Administrator, and in any other matters of a quasi-judicial nature which require an appellate decision by the Administrator and arise out of EPA's regulatory programs.

PRIMARY FUNCTIONS

- The Environmental Appeals Board exercises, by regulation, formal delegated authority of the Administrator of the Agency to decide appeals to the Administrator, as provided in 40 C.F.R. Part 1, Subpart B, including permit and enforcement appeals and CERCLA section 106(b) petitions. Rules governing appeals are found at 40 C.F.R. Part 22 and Part 124; the Agency finalized changes to the foregoing regulations effective September 21, 2020.
- At the request of the Administrator, the Board decides, makes recommendations, or serves as factfinder on other issues for which an independent objective analysis is required.
- The Board judges are appointed by the Administrator, and consistent with the C.F.R. Part 1, Subpart B, the EAB reports directly to the Administrator on substantive matters delegated to the Board.
- The EAB reports to the Assistant Administrator, OMS solely for administrative matters, e.g., budget and financial management, information technology management, human resources management, facilities management, and staff evaluations and staff personnel actions.

KEY EXTERNAL STAKEHOLDERS

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| <input checked="" type="checkbox"/> Congress | <input checked="" type="checkbox"/> Industry | <input checked="" type="checkbox"/> States | <input checked="" type="checkbox"/> Tribes | <input checked="" type="checkbox"/> Media | <input checked="" type="checkbox"/> Other Federal Agency |
| <input checked="" type="checkbox"/> NGO | <input checked="" type="checkbox"/> Local Government | <input checked="" type="checkbox"/> Other (name of stakeholder) <u>Federal Courts</u> | | | |

LEAD OFFICE/REGION: OMS

OTHER KEY OFFICES/REGIONS: N/A